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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/976,600	10/12/2001	Rema Vaidyanathan	UTL 00038	3296

7590 02/04/2005

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EXAMINER	
HARVEY, DIONNE	
ART UNIT	**PAPER NUMBER**
2643	

DATE MAILED: 02/04/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/976,600	VAIDYANATHAN ET AL.	
	Examiner	Art Unit	
	Dionne N Harvey	2643	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☐ Responsive to communication(s) filed on _____.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☐ Claim(s) _____ is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☒ Claim(s) *14,15 and 29* is/are allowed.

6)☒ Claim(s) *1-3 and 16-19* is/are rejected.

7)☒ Claim(s) *4-13 and 20-28* is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

1. **Claims 1-3 and 16-19** are rejected under 35 U.S.C. 102(b) as being anticipated by **Miyake (US 5,732,334).**

Regarding claim 1, shown in **figure 2**, Miyake teaches a method for controlling transmitter output levels in a wireless communications device; in **column 3, lines 62-67**, Miyake teaches a bias control unit to providing a bias control signal which controls the bias control voltage to an amplifier, and in **figure 2**, Miyake teaches that said control signals are provided by determining an error signal in the error calculating unit **181** of the control unit **18,** thereby reading on " the method comprising: determining an error in a transmit bias control value; and, using the error to compensate a subsequent initial transmit bias control value."

Regarding claim 2, in **figure 9,** based upon predetermined parameters, Miyake teaches selecting a transmitter output level **S1;** in response to selecting a transmitter output level, supplying a corresponding initial transmit bias control value **S2**; and, in response to supplying an initial transmit bias control value, generating an initial transmitter output level **S3.**

Regarding claim 3, shown in **figure 1**, Miyake teaches that the power monitoring unit **101** measures the power level of the output signal, reading on "measuring the transmitter output level"; and in **figure 2**, Miyake teaches that the units **181 and 185** cooperate to determine the error component (**see output of subtractor 1811)** of the signal by comparing the transmitted signal **16** to the reference signal **1810**, and then adjusting the power control signal of the transmitter **(via output of summer 1854)** so as to compensate for the detected error, reading on "in response to measuring the transmitter output level, adjusting the transmit bias control value until the transmitter output level equals the selected transmitter output level."

Regarding claim 16, in **figure 9,** Miyake teaches a method for controlling transmitter output levels in a wireless communications device, the method comprising selecting a transmitter output level based upon predetermined parameters, **see S1**; in **S2,** Miyake teaches that a reference power level is chosen based upon set parameters in **S1,** thereby reading on "generating an initial transmitter output level", and also in **S2,** Miyake teaches that reference control data is determined based upon preset parameters in **S1,** thereby reading on "supplying a corresponding initial transmit bias control value"; and, shown in **figure 10,** once an error is detected in the power level, that is, the actual power level does not equal the reference power level, an error signal representative of the power difference is generated and later compensated for, thereby reading on "determining an error in a transmit bias control value; and, using the error to compensate a subsequent initial transmit bias control value."

Regarding claim 17, Miyake teaches a system for controlling transmitter output levels, the system comprising: a transmitter **(shown in figure 1)** having an input **14** accepting a transmit bias control value and an output **(see signal tap from coupler 6)** supplying a transmitter output level responsive to the transmit bias control value; the Examiner has interpreted the combined functions of power monitoring unit **101** and control unit **18** as reading on "a gain control circuit", the circuit components operating to measure the actual power level, determine errors and compensate for said errors in subsequent transmissions, thereby reading on "for determining transmit bias control value errors and using the errors to supply subsequent initial transmit bias control values with compensation."

Regarding claim 18, shown in **figure 2**, Miyake teaches that parts **181 and 185** of the gain control circuit has an input **16** for selecting transmitter output levels **via control signal 14**; and, wherein the gain control circuit output **(see control data which is output from adder 1854)** supplies an initial transmit bias control value **14** corresponding to a selected power transmitter output level.

Regarding clam 19, In **figure 1**, Miyake teaches that **part 101** of the gain control circuit includes: a measuring circuit having an input **7** accepting the transmitter output level and an output **16** supplying a transmitter output measurement; wherein **part 18** of the gain control circuit supplies adjusted transmit bias control values **(see the control value output from adder 1854)** responsive to the transmitter output measurement and to a reference (**said reference control data is provided by the Reference Control Data Memory Table 1853)**; and, wherein the transmitter **100** generates selected

transmitter output levels in response to the adjusted transmit bias control values **applied by control signal 14**.

Allowable Subject Matter

2. Claims 4 and 20 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. Claims 5-13 are objected to due to their dependency upon claim 4, while claims 21-28 are objected to due to their dependency upon claim 20.

3. Claims 14, 15 and 29 are allowed.

Conclusion

4. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Sahota (US 6,819,938) teaches a method for power control in a wireless device.

Weiland (US 5,655,220) teaches a transmit power correction in a radiotelephone.

Appel (US 6,223,056) teaches a system for controlling a power amplifier.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Dionne N Harvey whose telephone number is 703-305-1111. The examiner can normally be reached on 9-5:30 M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Curtis Kuntz can be reached on 703-305-4708. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

D. Harvey

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